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August 4, 2020

**BY ECF**

The Honorable Analisa Torres  
 United States District Judge  
 Southern District of New York

**Re:    *United States v. Nysheim Spencer et al., 20 Cr. 78 (AT)***

Dear Judge Torres:

The Government writes to respectfully request that the Court exclude time under the Speedy Trial Act, pursuant to Title 18, United States Code, Section 3161(h)(1)(A), between today, August 4, 2020, and January 6, 2021, the date the Court previously set for trial in this case. On July 30, 2020, the Court adjourned *sine die* the conference that was scheduled for August 4, 2020. (Doc. No. 133.) The Court had previously excluded time through August 4, 2020. (Doc. No. 129.)

The Government submits that the ends of justice served by such an exclusion of time under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial, because such an exclusion will allow time for the defendants and their counsel to continue reviewing the voluminous discovery in this case, to evaluate which motions, if any, are appropriate, and for the parties to continue discussing potential pretrial dispositions. Such an exclusion will also help ensure the effective assistance of counsel and help prevent any possible miscarriage of justice.

Newly appointed counsel for Mr. Jenkins, who was appointed yesterday, takes no position on the Government's application. Counsel for the ten other defendants consent to the exclusion of time until January 6, 2021.

The Government's request is GRANTED. It is ORDERED that the time from August 4, 2020 to January 6, 2021 is excluded from the Speedy Trial calculation pursuant to 18 U.S.C. § 3161(h)(7)(A) because the ends of justice served by excluding such time outweigh the interests of the public and the Defendants in a speedy trial in that this will allow time for the Defendants to review discovery, evaluate which motions, if any, are appropriate, and for the parties to continue discussing potential pretrial dispositions.

SO ORDERED.

Dated: August 11, 2020

New York, New York

  
 ANALISA TORRES  
 United States District Judge

Respectfully submitted,

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 Acting United States Attorney



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